

**DURHAM, NORTH CAROLINA  
MONDAY, MARCH 5, 2018  
7:00 P.M.**

The Durham City Council met in a regular session on the above date and time in the Council Chambers at 101 City Hall Plaza with the following members present: Mayor Steve Schewel , Mayor Pro Tempore Jillian Johnson and Council Members Vernetta Alston, Javiera Caballero, DeDreana Freeman, Mark-Anthony Middleton and Charlie Reece. Absent: None.

Also Present: City Manager Thomas J. Bonfield, City Attorney Patrick Baker, City Clerk Diana Schreiber and Sr. Executive Assistant LaVerne Brooks.

Mayor Schewel Called the meeting to order, welcomed everyone in attendance and called for a moment of silent meditation.

Council Member Reece deferred to Girl Scout Troop #998 to lead the Pledge of Allegiance to the Flag.

**[CEREMONIAL ITEMS]**

Council Member Freeman read into the record the Proclamation for “Girl Scout Week” which was presented to Kim Cameron Troop #998 Leader of Girl Scouts NC Coastal Pines.

Ms. Cameron thanked Mayor Schewel and Council for the Proclamation in recognition of March 5, 2018 as Girl Scout Week.

Ms. Cameron stated that Girl Scouts build girls’ courage, confidence and character and makes the world a better place. Girl Scouts serves over 26,000 girls in Central and Eastern North Carolina.

Ms. Cameron states that there were programs coast to coast and across the glob. Girl Scouts offer girls a chance to practice a lifetime of leadership, adventure and success.

Mayor Steve Schewel read into the record the Proclamation for “Women’s History Month” in recognition of March 2018 Women’s History Month in Durham North Carolina.

Ms. Del Mattioli of Mattioli & Associates thanked Mayor Schewel and Council for the Proclamation in recognition of Women and spoke of the importance of Girl Scouts and explained why the organization needed to continue.

Council Member Mr. Eddie Davis read into the record the Proclamation for “Jean Bradley Anderson” which was presented to Jean Bradley Anderson for Nature Preservation.

Ms. Anderson thanked Mayor Schewel and Council for the Proclamation in recognition of March 5, 2018 as “13 month Parade of Jean Bradley Anderson’s Service to Durham, North Carolina.”

Ms. Anderson stated she has resided in Durham since 1955, explained that she was originally from Philadelphia and has had an intense interest in Durham’s history. Ms. Anderson mentioned her extensive work with archives in her effort to understand the history of her adopted community.

#### **[ANNOUNCEMENTS BY COUNCIL]**

Council Member Middleton attended a Congressional City Conference hosted in Washington D.C. – called on the members to be leaders of their municipal governments; and while he was in the District he talked about light rail funding, RDU funding and concealed carry reciprocity.

Council Member Middleton and other Council Members were concerned about local gun violence.

#### **[PRIORITY ITEMS BY THE CITY MANAGER, CITY ATTORNEY AND CITY CLERK]**

There were no priority items from the City Manager, City Attorney and City Clerk.

#### **[CONSENT AGENDA]**

Mayor Schewel read each agenda item and explained that the Consent Agenda may be approved with a single vote by Council. The Mayor read the Consent Agenda into the record; and the following agenda item was pulled by Council Member Middleton: Item #16 – Telecommunications License Agreement with South Carolina Telecommunications Group Holdings, LLC dba Spirit Communications.

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to approve the amended Consent Agenda was approved at 7:27 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

#### **SUBJECT: MAYOR’S COUNCIL FOR WOMEN – APPOINTMENTS**

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to appoint the following members to the Mayor’s Council For Women: Nana Asante-Smith representing Public Safety (Term expires June 30, 2021); Nida Allam representing Civil Rights/ Justice (term expires June 30, 2021); Ashley Canady representing Ward 2 (term

expires June 30, 2021); Gloria De Los Santos representing At-Large (term expires June 30, 2020); Mina Ezikpe representing Ward 3 (Term expires June 30, 2020); Megan A. McCurley representing Ward 1 (term expires June 30, 2020); Dolly Reaves representing At-Large (term expires June 30, 2019); Amie Koch representing Housing /Economic Development (term expires June 30, 2019); Rebakah A. Miel representing Cultural/Arts (term expires June 30, 2019) was approved at 7:27 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

The appointees to the Mayor's Council for Women were administered their oaths of office by the City Clerk.

**SUBJECT: DURHAM BICYCLE AND PEDESTRIAN ADVISORY COMMISSION – APPOINTMENT**

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to appoint Sean Mason to the Durham Bicycle and Pedestrian Advisory Commission representing University Students/University Facilities with the term to expire on August 31, 2020 was approved at 7:27 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

**SUBJECT: CITIZENS ADVISORY COMMITTEE – APPOINTMENT**

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to appoint Sammy F. Banawan to Citizens Advisory Committee with the term to expire on June 30, 2019 was approved at 7:27 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

**SUBJECT: SELECTION OF EXTERNAL AUDITOR**

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to authorize the City Manager to execute a contract and accompanying engagement letter with Cherry, Bekaert, LLP to audit the City's annual financial statements, in the amount of \$213,000.00 for a three (3) year contract; as approved at the January 22, 2018 Audit Services Oversight Committee meeting was approved at 7:27 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

**SUBJECT: 2017 MUNICIPAL PRIMARY AND MUNICIPAL GENERAL ELECTIONS**

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to authorize payment in the amount of \$ 374,043.67 to the Durham County Board of Elections for the City of Durham 2017 Municipal Primary and Municipal General Elections was approved at 7:27 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

**SUBJECT: WOODCROFT PARKWAY EXTENSION MUNICIPAL AGREEMENT (U-5823)**

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to authorize the City Manager to execute the Woodcroft Parkway Extension (TIP U-5823) Municipal Agreement with the NC Department of Transportation for design, environment document documentation and right of way activities for the project;

To adopt a Grant Resolution to accept federal grant funding in the amount of \$633,000.00 from the NCDOT; and

To adopt an Ordinance Amending the General Capital Improvement Project Ordinance, Fiscal Year 2017-18, as amended, the same being Ordinance #15131, for the purpose of receiving the additional funds in the amount of \$633,000.00 for the first phase of the Woodcroft Parkway Extension Project (LC404) where the existing CIP match funding of \$158,250.00 is currently appropriated was approved at 7:27 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

**RESOLUTION #10076 & ORDINANCE #15264**

**SUBJECT: REPLACEMENT RADIO SYSTEMS FOR TRANSIT VEHICLES**

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to authorize the City Manager to execute a contract with Motorola Solutions, Inc. for the purchase of radio system replacements on board 82 transit vehicles, as well as dispatch and supervisor radio system replacements for the North Carolina Department of Transportation (NCDOT), Transit Section in the amount of \$381,059.34.00 was approved at 7:27 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

**SUBJECT: REPLACEMENT OF LIGHT TRANSIT VEHICLES**

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to authorize the City Manager to execute a contract with Palmetto Bus Sales, LLC for the purchase of six (6) replacement light transit vehicles (LTV'S), for the North Carolina Department of Transportation (NCDOT), Transit Section in the amount of \$348,408.00 was approved at 7:27 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

**SUBJECT: CENTRAL PARK WATERLINE REPLACEMENT PROJECT – AMENDMENT NO. 2**

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to authorize the City Manager to execute a contract amendment to the Central Park Waterline Replacement Project with CDM in an amount not to exceed \$898,800.00, increasing the total contract amount to \$3,004,400.00;

To establish additional contingency funds for the contract in an amount not to exceed \$27,360.00, increasing the total amount to \$171,360.00; and

To authorize the City Manager to negotiate change orders for the contract if the total project cost does not exceed \$3,175,760.00 was approved at 7:27 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

**SUBJECT: W. MAIN STREET AND N. ELIZABETH STREET WATERLINE REPLACEMENTS – CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES**

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to authorize for the City Manager to execute a contract with CJS Conveyance, PLLC for Professional Engineering Services in an amount not to exceed \$1,826,167.00 for the W. Main Street and N. Elizabeth Street Waterline Replacements contract;

To establish a contingency fund for the contract in the amount not to exceed \$166,015.00;

To authorize the City Manager to negotiate change orders for the contract provided that the total project cost does not exceed \$1,826,167.00 was approved at 7:27 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

**SUBJECT: ELECTRIC SERVICE AGREEMENT WITH DUKE ENERGY CAROLINAS, LLC FOR NORTH DURHAM WATER RECLAMATION FACILITY**

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to authorize the City Manager to execute a electric service agreement 6053-A between the City and Duke Energy for North Durham Water Reclamation Facility was approved at 7:27 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

**SUBJECT: BID REPORT FOR JANUARY 2018**

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to receive a report on bids which were acted upon by the City Manager during the month of January 2018 was approved at 7:27 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

**Date:** 1/31/2018  
**To:** Thomas J. Bonfield, City Manager  
**Through:** Wanda S. Page, Deputy City Manager  
**From:** David Boyd, Finance Director  
Jonathan Hawley, Purchasing Supervisor  
**Subject:** Bid Report – January 2018

**Recommendation:**

To receive a report on the bids which were acted upon by the City Manager during the month of January 2018.

**Apparatus, Supplies, Materials, Equipment, Construction and Repair work:**

**1. Bid: Replacement Truck**

**Purpose of Bid:**

To provide the Fleet Management Department with one (1) replacement 2018 Toyota Tundra 4X2 double cab truck for the Police Department.

**Comments:**

**Opened:** 11/29/2017

**Bidders:**

AAG Raleigh LLC dba Fred Anderson  
Raleigh, NC  
Mark Jacobson Toyota  
Glenview, IL

\$29,928.00

\$30,885.00

\*Award based on: ☒ Low Bid

☐

Other (See Comments)

TOTAL WORKFORCE			
Employment Category	Employees	Males	Females
Project Mgr	0	0	0
Professional	0	0	0
Technical	0	0	0
Clerical	10	3	7
Labor	131	114	17
Total	141	117	24

UBE/SLBE REQUIREMENTS - MALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr	0	0	0	0	0
Professional	0	0	0	0	0
Technical	0	0	0	0	0
Clerical	2	1	0	0	0
Labor	67	34	9	3	1
Total	69	35	9	3	1

UBE/SLBE REQUIREMENTS - FEMALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr	0	0	0	0	0
Professional	0	0	0	0	0
Technical	0	0	0	0	0
Clerical	3	3	1	0	0
Labor	9	8	0	0	0
Total	12	11	1	0	0

**2. Bid: Multi-Purpose Canine**

Purpose of Bid:

To provide the Police Department with one (1) multi-purpose canine for the Canine Unit.

Comments: NC K9 LLC is the sole authorized provider of canines for the City of Durham Police Department.

Opened: 12/4/2017

Bidders:

NC K9 LLC  
Tarboro, NC

\$10,500.00

\*Award based on: ☐ Low Bid ☒ Other (See Comments)



TOTAL WORKFORCE			
Employment Category	Employees	Males	Females
Project Mgr	1	1	0
Professional	0	0	0
Technical	0	0	0
Clerical	0	0	0
Labor	0	0	0
Total	1	1	0

UBE/SLBE REQUIREMENTS - MALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr	1	0	0	0	0
Professional	0	0	0	0	0
Technical	0	0	0	0	0
Clerical	0	0	0	0	0
Labor	0	0	0	0	0
Total	1	0	0	0	0

UBE/SLBE REQUIREMENTS - FEMALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr	0	0	0	0	0
Professional	0	0	0	0	0
Technical	0	0	0	0	0
Clerical	0	0	0	0	0
Labor	0	0	0	0	0
Total	0	0	0	0	0

### 3. Bid: Handheld Recognition Scanner

Purpose of Bid:

To provide the Police Department with six (6) handheld Evolution RapidID facial recognition and fingerprint scanners.

Comments: Dataworks Plus LLC is the sole source vendor for Evolution RapidID facial recognition and fingerprint scanners system  
6 units priced @ \$6,404.67

Opened: 12/11/2017

Bidders:

Dataworks Plus LLC  
Greenville, SC

\$38,428.02

\*Award based on: ☐ Low Bid ☒ Other (See Comments)

TOTAL WORKFORCE			
Employment Category	Employees	Males	Females
Project Mgr	6	3	3
Professional	21	17	4
Technical	35	34	1
Clerical	2	1	1
Labor	3	2	1
Total	67	57	10

UBE/SLBE REQUIREMENTS - MALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr	3	0	0	0	0
Professional	17	0	0	0	0
Technical	33	1	0	0	0
Clerical	1	0	0	0	0
Labor	2	0	0	0	0
Total	56	1	0	0	0
UBE/SLBE REQUIREMENTS - FEMALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr	3	0	0	0	0
Professional	3	0	0	1	0
Technical	0	0	0	1	0
Clerical	1	0	0	0	0
Labor	1	0	0	0	0
Total	8	0	0	2	0

#### 4. Bid: Replacement Fire Protection Turnout Gear

Purpose of Bid:

To provide the Fire Department with twenty-six replacement fire protection turnout gear.

Comments: Priced in accordance with the City of Charlotte Co-operative Purchasing Alliance

26 units priced @ \$1,933.48 each

Opened: 12/13/2017

Bidders: Municipal Emergency Services, Inc.  
Morrisville, NC

\$50,270.48

\*Award based on: ☐ Low Bid ☒ Other (See Comments)

TOTAL WORKFORCE			
Employment Category	Employees	Males	Females
Project Mgr	2	2	0
Professional	10	9	1
Technical	0	0	0
Clerical	0	0	0
Labor	7	7	0
Total	19	18	1

UBE/SLBE REQUIREMENTS - MALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr	2	0	0	0	0
Professional	9	0	0	0	0
Technical	0	0	0	0	0
Clerical	0	0	0	0	0
Labor	2	5	0	0	0
Total	13	5	0	0	0

UBE/SLBE REQUIREMENTS - FEMALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr	0	0	0	0	0
Professional	1	0	0	0	0
Technical	0	0	0	0	0
Clerical	0	0	0	0	0
Labor	0	0	0	0	0
Total	1	0	0	0	0

#### 5. Bid: Excavator Parts and Accessories

Purpose of Bid:

To provide the Water Management Department with various parts and accessories for existing Caterpillar Excavator.

Comments: Gregory Poole is the sole authorized distributor of Caterpillar parts and Accessories.

Opened: 12/1/2017

Bidders: Gregory Poole Equipment Co.  
Raleigh, NC

\$18,725.00

\*Award based on: ☐ Low Bid ☒ Other (See Comments)

TOTAL WORKFORCE			
Employment Category	Employees	Males	Females
Project Mgr	14	13	1
Professional	10	9	1
Technical	134	133	1
Clerical	16	9	7
Labor	8	8	0
Total	182	172	10

UBE/SLBE REQUIREMENTS - MALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr	12	1	0	0	0
Professional	9	0	0	0	0
Technical	116	11	4	1	1
Clerical	9	0	0	0	0
Labor	7	0	1	0	0
Total	153	12	5	1	1

UBE/SLBE REQUIREMENTS - FEMALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr	0	0	1	0	0
Professional	1	0	0	0	0
Technical	1	0	0	0	0
Clerical	6	1	0	0	0
Labor	0	0	0	0	0
Total	8	1	1	0	0

**6. Bid: Replacement Motorcycles**

Purpose of Bid:

To provide the Fleet Management Department with two (2) replacement 2018 Harley Davidson Police grade Electra Glide motorcycles for the Police Department.

Comments: 2 units priced @ \$16,786.53 each

Opened: 12/15/2017

Bidders:	Motorsports of Durham	\$33,573.06
	Durham, NC	
	Down Home Harley Davidson	\$34,872.00
	Burlington, NC	

\*Award based on: ☒ Low Bid ☐ Other (See Comments)

TOTAL WORKFORCE			
Employment Category	Employees	Males	Females
Project Mgr	2	2	0
Professional	16	12	4
Technical	6	6	0
Clerical	3	0	3
Labor	3	3	0
Total	30	23	7

UBE/SLBE REQUIREMENTS - MALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr	1	0	0	1	0
Professional	11	1	0	0	0
Technical	5	1	0	0	0
Clerical	0	0	0	0	0
Labor	1	2	0	0	0
Total	18	4	0	1	0

UBE/SLBE REQUIREMENTS - FEMALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr	0	0	0	0	0
Professional	4	0	0	0	0
Technical	0	0	0	0	0
Clerical	2	1	0	0	0
Labor	0	0	0	0	0
Total	6	1	0	0	0

#### 7. Bid: Replacement Laptop Computers

Purpose of Bid:

To provide the Technology Solutions Department with twenty (20) Dell OptiPlex 7050 SFF laptop computers.

Comments: Priced in accordance with NC State contract #204A  
20 units priced @ \$600.00 each

Opened: 1/2/2018

Bidders: Dell Marketing LP \$12,000.00  
Round Rock, TX

\*Award based on: ☐ Low Bid ☒ Other (See Comments)



TOTAL WORKFORCE			
Employment Category	Employees	Males	Females
Project Mgr	0	0	0
Professional	23	21	2
Technical	0	0	0
Clerical	0	0	0
Labor	0	0	0
Total	23	21	2

UBE/SLBE REQUIREMENTS - MALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr	0	0	0	0	0
Professional	15	2	2	2	0
Technical	0	0	0	0	0
Clerical	0	0	0	0	0
Labor	0	0	0	0	0
Total	15	2	2	2	0

UBE/SLBE REQUIREMENTS - FEMALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr	0	0	0	0	0
Professional	2	0	0	0	0
Technical	0	0	0	0	0
Clerical	0	0	0	0	0
Labor	0	0	0	0	0
Total	2	0	0	0	0

**8. Bid: Replacement Metal Fabrication Machine**

Purpose of Bid:

To provide the Fleet Management Department with one (1) replacement P-65 Piranha Ironworker metal fabrication machine for the maintenance division.

Comments: ARC3 Gases is the sole authorized distributor of Piranha products.

Opened: 1/2/2018

Bidders: ARC3 Gases Inc. \$20,990.00  
Dunn, NC\*Award based on: ☐ Low Bid ☒ Other (See Comments)

TOTAL WORKFORCE			
Employment Category	Employees	Males	Females
Project Mgr	0	0	0
Professional	0	0	0
Technical	7	7	0
Clerical	28	10	18
Labor	2	2	0
Total	37	19	18

UBE/SLBE REQUIREMENTS - MALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr	0	0	0	0	0
Professional	0	0	0	0	0
Technical	7	0	0	0	0
Clerical	8	1	0	1	0
Labor	2	0	0	0	0
Total	17	1	0	1	0

UBE/SLBE REQUIREMENTS - FEMALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr	0	0	0	0	0
Professional	0	0	0	0	0
Technical	0	0	0	0	0
Clerical	10	4	2	2	0
Labor	0	0	0	0	0
Total	10	4	2	2	0

#### 9. Bid: Replacement Vehicles

Purpose of Bid:

To provide the Fleet Management Department with four (4) replacement 2018 Dodge Charger pursuit vehicles for the Police Department.

Comments: Priced in accordance with North Carolina State Contract 070A Item # 21  
4 units priced @ \$26,172.00 each

Opened: 1/11/2018

Bidders: Horace G Ilderton LLC \$104,688.00  
High Point, NC

\*Award based on: ☐ Low Bid ☒ Other (See Comments)

TOTAL WORKFORCE			
Employment Category	Employees	Males	Females
Project Mgr	15	9	6
Professional	23	16	7
Technical	13	7	6
Clerical	28	10	18
Labor	9	9	0
Total	88	51	37

UBE/SLBE REQUIREMENTS - MALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr	9	0	0	0	0
Professional	11	4	1	0	0
Technical	6	1	0	0	0
Clerical	4	1	2	1	2
Labor	6	3	0	0	0
Total	36	9	3	1	2

UBE/SLBE REQUIREMENTS - FEMALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr	4	2	0	0	0
Professional	5	1	1	0	0
Technical	3	2	0	1	0
Clerical	10	4	2	2	0
Labor	0	0	0	0	0
Total	22	9	3	3	0

**10. Bid: Replacement Fiberglass Boards**

Purpose of Bid:

To provide the Water Management Department with one-hundred twenty (120) replacement fiberglass flight sludge boards for the Williams Water Treatment Plant.

Comments: 120 units priced @125.42 each

Opened: 1/11/2018

Bidders:	PMC Inc.	\$15,050.40
	Baltimore, MD	
	Carolina Plumbing Supply, Inc.	No Bid
	Raleigh, NC	

\*Award based on: ☒ Low Bid ☐ Other (See Comments)

TOTAL WORKFORCE			
Employment Category	Employees	Males	Females
Project Mgr	0	0	0
Professional	2	1	1
Technical	0	0	0
Clerical	0	0	0
Labor	0	0	0
Total	2	1	1

UBE/SLBE REQUIREMENTS - MALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr	0	0	0	0	0
Professional	1	0	0	0	0
Technical	0	0	0	0	0
Clerical	0	0	0	0	0
Labor	0	0	0	0	0
Total	1	0	0	0	0

UBE/SLBE REQUIREMENTS - FEMALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr	0	0	0	0	0
Professional	1	0	0	0	0
Technical	0	0	0	0	0
Clerical	0	0	0	0	0
Labor	0	0	0	0	0
Total	1	0	0	0	0

#### 11. Bid: Replacement Water Meters

Purpose of Bid:

To provide the Water Management Department with two (2) 8X2 Neptune fire service compound meters and two (2) 12X2 Neptune fire service compound water meters and fifteen (15) Neptune R900I pit registers with antenna for the Water and Sewer Operations Division.

Comments: 2 compound meters (8X2) priced @ \$16,160.00 each  
2 compound meters (12X2) priced @19,703.00 each  
15 pit registers priced @ \$1,854.00 each

Core and Main LP is the sole authorized distributor of Neptune Technology products.

Opened: 1/22/2018

Bidders: Core and Main LP \$99,536.00  
Morrisville, NC

\*Award based on: ☐ Low Bid ☒ Other (See Comments)

TOTAL WORKFORCE			
Employment Category	Employees	Males	Females
Project Mgr	2	2	0
Professional	10	9	1
Technical	0	0	0
Clerical	0	0	0
Labor	7	7	0
Total	19	18	1

UBE/SLBE REQUIREMENTS - MALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr	2	0	0	0	0
Professional	9	0	0	0	0
Technical	0	0	0	0	0
Clerical	0	0	0	0	0
Labor	2	5	0	0	0
Total	13	5	0	0	0

UBE/SLBE REQUIREMENTS - FEMALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr	0	0	0	0	0
Professional	1	0	0	0	0
Technical	0	0	0	0	0
Clerical	0	0	0	0	0
Labor	0	0	0	0	0
Total	1	0	0	0	0

**12. Bid: Ammunition**

Purpose of Bid:

To provide the Police Department with various police grade ammunition for police issued weapons.

Comments: Priced in accordance with North Carolina State Contract 680A.

Opened: 1/23/2018

Bidders: Lawman's Safety Supply, Inc. \$44,728.53  
Raleigh, NC

\*Award based on: ☐ Low Bid ☒ Other (See Comments)

TOTAL WORKFORCE			
Employment Category	Employees	Males	Females
Project Mgr	2	2	0
Professional	10	9	1
Technical	0	0	0
Clerical	0	0	0
Labor	7	7	0
Total	19	18	1

UBE/SLBE REQUIREMENTS - MALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr	2	0	0	0	0
Professional	9	0	0	0	0
Technical	0	0	0	0	0
Clerical	0	0	0	0	0
Labor	2	5	0	0	0
Total	13	5	0	0	0



UBE/SLBE REQUIREMENTS - FEMALES					
Employment Category	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaska Native
Project Mgr	0	0	0	0	0
Professional	1	0	0	0	0
Technical	0	0	0	0	0
Clerical	0	0	0	0	0
Labor	0	0	0	0	0
Total	1	0	0	0	0

**SUBJECT: LEASE OF CLEVELAND STREET PARKING LOT FOR CITY OF DURHAM  
EMPLOYEE PARKING**

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to authorize the City Manager to execute a lease agreement with The First Baptist Church of Durham Incorporated for 13 parcels to be used collectively as a parking lot for City Employees was approved at 7:27 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

**SUBJECT: DURHAM SUSTAINABILITY ROADMAP ADOPTION**

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to adopt the City of Durham Sustainability Roadmap was approved at 7:27 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

**SUBJECT: SECOND AMENDMENT TO ASSET MANAGEMENT CONTRACT**

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to ratify the first amendment to the contract for asset management needs assessment executed by the City Manager with KCI Associates of North Carolina, P.A. in the amount of \$56,000.00, increasing the total contract amount to \$61,000.00;

To authorize the City Manager to execute a second amendment with KCI Associates of North Carolina for SOP Development and Asset Management Program Services in the amount \$258,631.00 for a total, new contract amount of \$319,631.00;

To establish a project contingency in the amount of \$101,000.00 to begin asset management services for bridges/structures or sidewalks; and

To authorize the City Manager to negotiate and execute amendments for the contract provided the total cost of the contract including all amendments does not exceed \$420,631.00 was approved at 7:27 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

**SUBJECT: UTILITY EXTENSION AGREEMENT WITH 512 GORDON STREET, LLC TO SERVE THE GORDON STREET TOWNES PROJECT**

**MOTION** by Council Member Middleton, seconded by Council Member Reece, To authorize the City Manager to enter into a utility extension agreement with 512 Gordon Street, LLC to serve Gordon Street Townes was approved at 7:27 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

**[GENERAL BUSINESS AGENDA – PUBLIC HEARINGS]**

**SUBJECT: CONSOLIDATED ANNEXATION FOR 5220 WAKE FOREST HIGHWAY**

Jamie Sunyak, of the City-County Planning Department, stated all Planning Department public hearings listen on the agenda were notified, affidavits were on file and notices were published in accordance to local and state law.

Ms. Sunyak gave the staff report on the Requests for utility extension agreement, voluntary annexation, plan amendment and zoning map change have been received from Eastwood Homes of Raleigh, LLC for one parcel totaling 14.919 acres. The subject site was located at 5220 Wake Forest Highway.

Ms. Sunyak stated that the annexation petition (case BDG1700008) sought to bring the parcel into the City limits. The site was currently zoned Rural Residential. The applicant was requesting the Planned Development Residential 5.362 and had committed to a maximum of 79 multi-family residential units. Key commitments on the development plan associated with the request included: Townhouse units – 50 foot building setback and additional tree coverage along the southern property line – Increased project boundary buffer abutting PID 166180 – at least 51% of the units have only single-bay garages – and additional asphalt for a future bike lane.

The Durham Planning Commission, at its November 14, 2017 meeting, recommended approval of the proposed FLUM designation and Planned Development Residential zoning district by a vote of 8-4.

Staff determined that the requests were consistent with Comprehensive Plan and applicable policies and ordinances.

Mayor Schewel opened the public hearing and stated there were speakers to the item.

### PROPONENT

Tim Sivers of 16 Consultant Place, stated the request was to revise the Future Land Use Map and rezoning and he sent email updates to the property owners about the project; and stated the project consisted of 79 Town Home units, with building materials similar to those used in Ravenstone.

Mr. Sivers continued by saying the developer intended to construct NC 98 into a full three lane section between the commercial shopping center and Hillview Drive including an exclusive west-bound left turn lane at the side entrance and east bound right turn lane at the side entrance. In addition, pavement would be provided for the bike lanes and a donation of \$8,000 grant would be made to the Affordable Housing Fund.

### OPPONENT

Johnathan Talley 220 Hillview Drive, stated he didn't believe the development was consistent with the community due to the density allowances not being similar to those of the neighboring communities.

Mr. Talley proceeded to say he would love to walk to the grocery store down the street but he could not because traffic did not seem to be safe while walking along the street and while on the sidewalk.

Council Member Freeman asked about the overflowing stormwater grates with special mention to the area of the planned development and how would the rural development be handled in its shift to suburban as well as accommodating the increase in stormwater flows.

Robert Joyner, Public Works, responded that the Stormwater Division evaluated existing conditions along with the areas downstream, as such, staff looked at the quantity and quality of the development under city rules.

Council Member Freeman expressed her concerns about stormwater and wanted to ensure that staff would come up with intermediate fixes for rising stormwater.

Mr. Joyner ensured that staff would be fully informed of the Council Member's concern.

Council Member Alston asked the developer summarize the neighbors' responses/input from the adjoining cul-de-sac.

Mr. Sivers stated he reached out to the neighbors by mail and then went door to door of two of the four owners whose property would be affected by the road expansion; the two homeowners directly adjacent to the development would be primarily affected, they supported the road connection and was hopeful the culdesac would be removed and had no problem with the development, the other neighbor had no major concerns with the road connection and understood the right of way connection when he purchased his home.

Council Member Alston asked a question about what constituted the five foot natural area at the southern property line.

Mr. Sivers explained there would be a project boundary adjacent to Ravenstone; and that the two properties would be connected with open space, tree protection space and that existing vegetation and trees would remain, ultimately providing a buffer to the residents.

Council Member Freeman inquired about the \$8,000 figure for the Affordable Housing Fund and how was the figure calculated.

Mr. Sivers responded that this was a smaller subdivision of 79 units, the amount of road improvements for the site, calculated in the base and fees and summarized the calculation was based on \$100 per unit.

Council Member Middleton addressed Mr. Talley asked the speaker if he thought the development was an affordable housing development and if the speaker was satisfied by the developers comments regarding traffic mediation of road widening, bike lane and turn lanes; and asked the speaker what he would like to see go there if not this development.

Mr. Talley responded 'no'; spoke to his reservations about the roadway design; felt the proposed development was not consistent with the pre-existing development in terms of the number of homes per acre; and explained the density was higher in the proposed development.

Council Member Middleton asked about \$8,000 about working with local developer and how could Council work with the developer for more input into the affordable housing sector.

Mr. Sivers spoke to giving the city the option of accepting the funds or donating them to a private affordable housing developer such as CASA.

Council Member Caballero asked about the residential price point and the turn lane impact on traffic and requested more description on where the turn lane will be placed.

Mr. Sivers responded the price point was from \$200,000-220,000 per unit; and indicated the turn lane would be in front of the Ravenstone Shopping Center/Food Lion; at the front

of the development there would be an expansion from two lanes to four lanes with two turn lanes added to the configuration.

Mayor Schewel addressed questions to Bill Judge, Assistant Director of the Transportation Department, were there comments on the efficiency of the any proffers made for the project.

Mr. Judge stated that the developer was meeting the requirements of the City.

Mayor Schewel acknowledged that the sidewalk proffer was in the county limits and asked about who would assume the maintenance of the sidewalk.

Patrick Young, Director City-County Planning Department stated that regarding the sidewalk, NCDOT and County would not maintain it and the applicant would have to seek a private agreement between the developer and the adjacent property owner for maintenance purposes; since the property owner was not interested in maintaining the sidewalk, there was concern about the proffer actually being implemented.

City Manager Bonfield asked if there was an option to construct the sidewalk on public property if someone would accept it or was there not enough space to construct the sidewalk; and asked staff if the developer could contribute to the city's sidewalk fund in lieu of constructing a sidewalk.

Director Young responded that it was not clear, there was a possibility that the sidewalk could fit along existing right of way, stated this was called ribbon paving and would need to be located behind an adjacent ditch for safety purposes; by utilizing private property, for installation, access easement and maintenance agreement; the applicant would be required to build a portion of the sidewalk on their property and then go toward the shopping center (was being subjected to the proffer); this was where the developer would have to work with NCDOT and to get the adjoining property owner to maintain it or acquire the rights to the property from the property owner and have them maintain it; and concurred with the City Manager about the developer being able to contribute to the city's sidewalk fund until the construction was possible or the property annexed into the city.

Mr. Sivers restated the complete list of proffers: the developer shall construct a five foot wide sidewalk along the frontage of 5218 and 5210 Wake Forest Highway west of the project frontage for approximately 305 linear feet to connect with the approved site plan D16000042, if either of the following options are accepted by the property owner, City of Durham, NCDOT prior to the site plan – Option #1) additional right of way is not needed for the construction of the sidewalk and property owners adjacent to the sidewalk will provide maintenance and liability; Option #2) additional right of way is not needed for the construction of the sidewalk and the right of way adjacent to 5218 and 5210 Wake Forest Highway are annexed into the city limits at no cost to the developer; and Option #3) the developer would be able to commit to adding an option for the payment in lieu for the 305 feet so that it can be constructed in the future, if needed.

Staff clarified the payment in lieu; set at \$65/linear foot per the 305 feet, as per the current city code; and for the record, the land was flat.

Mayor Schewel requested Mr. Sivers refine his proffer.

Mr. Sivers expressed support for the payment in lieu at \$65/linear foot for the 305 linear feet of the adjacent sidewalk; and then clarified his phrasing of the commitment that it looked like the applicant would do one of the three options, and it looked as if Option #3 would be the option, at the city's discretion.

Mr. Sivers further clarified the other proffers: provide 25 foot wide natural area along the southern boundary/limits as indicated on Sheet D-100 (and would provide updated Planning Sheet to Planning staff); minimum of 15% tree safe area would be provided; prior to the issuance of a certificate of occupancy, provide a one-time \$500 contribution to Durham Public Schools per each additional student estimate (estimated 3 students for a total of \$1500 with the payment to be made prior to the certificate of occupancy) to be added by the development; and prior to issuance of a certificate of occupancy, provide a one-time, \$8000 donation the City of Durham's Dedicated Housing Fund or to a local affordable housing developer to assist with the development of affordable housing in Durham.

Mayor Schewel suggested the developer donate to the City's Dedicated Housing Fund and then the City would distribute the funds. Mr. Sivers accepted this modification.

Council Member Reece inquired about a tot lot or playground in the development.

Mr. Sivers responded there would be an option for an active play area such as a park or athletic area on site.

Mayor Schewel thanked his colleague, Council Member Caballero, for pointing out the price point; and stated it was important to build more affordable homes in Durham because there were a lot of high priced homes and added there needed to be a focus on higher densities.

Council Member Freeman said to Mr. Talley that she heard his concerns and appreciated the fact that the developer tried to meet him half-way; and spoke to Mr. Sivers and appreciate him taking the initiative to creating the tree safe area and the affordable housing donation and being proactive on the site about what the city needed as a priority and appreciated the donation to Durham Public Schools; stated she served on Planning Commission for four years, and wanted to ensure that the needs of Durham were met, and thanked the developer for trying to meet the city's needs with their initiatives.

Being no additional speakers to the item, Mayor Schewel declared the public hearing closed.

**MOTION** by Council Member Alston, seconded by Council Member Freeman, to adopt an Ordinance Annexing 5220 Wake Forest Highway into the City of Durham effective March 31, 2018 at 8:20 P.M. and to authorize the City Manager to enter into a Utility extension agreement with Eastwood Homes of Raleigh LLC was approved at 8:21 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

**ORDINANCE #15265**

**MOTION** by Council Member Alston, seconded by Mayor Pro Tempore Johnson, to adopt a resolution amending the Future Land Use Map to Low-Medium Density Residential for the subject site was approved at 8:21 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

**RESOLUTION #10077**

**MOTION** by Council Member Alston, seconded by Mayor Pro Tempore Johnson, to adopt a Consistency Statement as required by NCGS 160A-383 was approved at 8:22 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

UNIFIED DEVELOPMENT ORDINANCE  
ZONING MAP CHANGE CONSISTENCY STATEMENT  
BY THE DURHAM CITY COUNCIL  
REGARDING Z1700022, 5220 WAKE FOREST HIGHWAY

WHEREAS the Durham City Council, upon acting upon a zoning map change to the Unified Development Ordinance and pursuant to state statute GS 160A-383, is required to approve a statement describing how the action is consistent with the Durham Comprehensive Plan; and

WHEREAS the Durham City Council, upon acting upon a zoning map change to the Unified Development Ordinance and pursuant to state statute GS 160A-383, is required to provide a brief statement indicating how the action is reasonable and in the public interest.

NOW THEREFORE, BE IT ADOPTED BY THE DURHAM CITY COUNCIL AS APPROPRIATE:

That final action regarding text amendment Z1700022, 5220 Wake Forest Highway, is based upon review of, and consistency with, the *Durham Comprehensive Plan* and any other officially adopted plan that is applicable, as provided in the 'Consistency with Adopted Plans' and 'Reasonable in the Public Interest' sections of the staff report and Attachment 9c, 'Consistency with Comprehensive Plan'; dated March 5, 2018, regarding

the subject '5220 Wake Forest Highway' (case Z1700022) along with additional agenda information provided to the City Council and information provided at the public hearing; and

It is the objective of the Durham City Council to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community. This consolidated item promotes this by offering fair and reasonable development regulations, supported by the 'Consistency with Adopted Plans' and 'Reasonable and in the Public Interest' sections of the staff report and Attachment 9c, 'Consistency with Comprehensive Plan'; dated March 5, 2018, regarding the subject '5220 Wake Forest Highway' (case Z1700022) along with additional agenda information provided to the City Council and information provided at the public hearing. Therefore, the request is reasonable and in the public interest.

**MOTION** by Council Member Alston, seconded by Council Member Reece, to adopt an Ordinance amending the Unified Development Ordinance to establish Planned Development Residential 5.362, Falls/Jordan District Watershed Protection Overlay (PDR 5.362/F/J-B) zoning for the subject site was approved at 8:22 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

#### **ORDINANCE #15266**

#### **SUBJECT: STREET CLOSING FOR WRENN ROAD**

Jamie Sunyak, the Planning Department on Ellis Road Residential, LLP proposed to close 896 linear feet of public right of way in order to conform the approved site plan for Ellis Road Phase 2 (Case D1400380). The right-of-way was dedicated and a portion had been improved. If the request was approved, the closed right-of-way acreage would be added to the adjacent parcels, both owned by Ellis Road Residential, LLP.

Staff recommended that Council approve the permanent closing of 896 linear feet of the street.

Mayor Bell declared the public hearing open. Being no speakers to the item, Mayor Schewel declared the public hearing closed.

**MOTION** by Council Member Middleton, seconded by Council Member Reece, to adopt an Order permanently closing 896 linear feet of Wrenn Road was approved at 8:24 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

#### **ORDINANCE #15267**



## **SUBJECT: CONSOLIDATED ITEM FOR NC 54 STORAGE**

Jamie Sunyak, the Planning Department stated a request for a future land use map amendment and zoning map change had been received for a 1.9 acre property located at 1003 E NC 54. The FLUM amendment would change the current designation of Office to Commercial. The applicant requested to change the zoning of the subject site from Residential Suburban-20 to Commercial General with a Development Plan (CG-(D)).

Key commitments on the development plan associated with the request included: A self-service storage facility, limited to 120,000 square feet with an additional right-of-way for a future bicycle lane, construction of a bus pull-out and shelter on the north side of NC 54, an offer of cross access easement to the east, a building and parking envelope and tree coverage locations and project boundary buffers.

The Durham Planning Commission considered the request at its December 12, 2017 meeting and recommended approval of the request by a vote of 8-4.

Staff determined the requests were consistent with the Comprehensive Plan and applicable policies and ordinances.

Mayor Schewel declared the public hearing open and stated there were speakers to the item.

Jamie Schweder, 301 Fayetteville Street, Raleigh, addressed the use and maximum building size, noted the building would have distinct architectural elements (ex; store front windows or parapet walls) and limited materials (ex; brick, stucco, stone) to enhance its appearance. The traffic limits were low, reached out to local neighborhood and visited neighbors across the street who confirmed notice received and stated the change was compatible with the existing land use pattern.

Staff found the zoning was consistent with its intent because the applicant would provide commercial goods and services in support of nearby residential and would utilize similar commercial land patterns in the area.

Franklin Boone, 1303 Elmset Lane, stated that Self-Storage would benefit the existing home owners in the area and stated new residents would benefit as well; and admitted the storage facility was an attractive building.

Kennon Bordon Jr., 253 E NC Hwy 54, spoke as the owner of South Point Professional Center and as a nearby business owner by stating the additional businesses in the area would benefit.

Christi Mulli, 6201 Pine Glen Trail, was the property manager at Green Pine Glens Apartments, spoke in support of the Self-storage as a good fit for the area since there would not be high traffic associate with the business and her residents needed storage.

Jason Freed, 710 S Bend Drive, resided south of the South Point Mall, stated that most of his neighbors had recently moved to the area and because of the growing population, self-storage would be a great addition to the area.

Council Member Reece stated he approved of the development; but expressed concerns about the development stresses existing along Highway 54, the cross connection and building height; appreciated the renderings and the 45 foot maximum height; and stated he intended on supporting the item.

Council Member Caballero appreciated the outreach to the renters and stated the roofline images were helpful.

Mayor Schewel stated he had a few questions on the outreach by asking if it was typically conducted bilingually and what did it mean that the proffer for the cross connection if the two development plans coincided

Ms. Schweder had been encouraged by Council Member Caballero to reach out with a Spanish speaking intermediary due to the Hispanic population in the Greens of Pine Glenn; explained that the offer was made at the table in September 2017 when the Barbee Road Retail site was approved, offered the same commitment for the cross access easement to the site to the Planning Commission, when at the two projects were at the development plan stage, it would be determined whether and where the cross access could be located and the two developers would work together in the future.

Bill Judge, Transportation, was aware of the proffer on the other zoning case; but

Council Member Freeman inquired about the parcel's grade from Barbee Road retail site to the apartment complex; and expressed caution due to potential stormwater or flooding issues near the apartments.

Mr. Sivers displayed the topography map and photographs; and displayed the fact that the buildings were built up higher than the wooded area.

Mr. Joyner stated the city's requirements for quantity and quality control would be in effect.

Mayor Schewel encouraged the Public Works Department to conduct another tour of stormwater retention devices in Durham for his colleagues.

**MOTION** by Mayor Pro Tempore Johnson, seconded by Council Member Reece, to adopt a resolution amending the Future Land Use Map to commercial for the subject site was approved at 8:25 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

**RESOLUTION #10078**

**MOTION** by Mayor Pro Tempore Johnson, seconded by Council Member Middleton, to adopt a Consistency Statement as required by NCGS 160A-383 was approved at 8:25 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

UNIFIED DEVELOPMENT ORDINANCE  
ZONING MAP CHANGE CONSISTENCY STATEMENT  
BY THE DURHAM CITY COUNCIL  
REGARDING Z1700001, NC 54 STORAGE

WHEREAS the Durham City Council, upon acting upon a zoning map change to the Unified Development Ordinance and pursuant to state statute GS 160A-383, is required to approve a statement describing how the action is consistent with the Durham Comprehensive Plan; and

WHEREAS the Durham City Council, upon acting upon a zoning map change to the Unified Development Ordinance and pursuant to state statute GS 160A-383, is required to provide a brief statement indicating how the action is reasonable and in the public interest.

NOW THEREFORE, BE IT ADOPTED BY THE DURHAM CITY COUNCIL AS APPROPRIATE:

That final action regarding text amendment Z1700001, NC 54 Storage is based upon review of, and consistency with, the *Durham Comprehensive Plan* and any other officially adopted plan that is applicable, as provided in the 'Consistency with Adopted Plans' and 'Reasonable in the Public Interest' sections of the staff report and Attachment 6, 'Consistency with Comprehensive Plan'; dated March 5, 2018, regarding the subject 'NC 54 Storage (cases A1700001 and Z1700001)' along with additional agenda information provided to the City Council and information provided at the public hearing; and

It is the objective of the Durham City Council to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community. This consolidated item promotes this by offering fair and reasonable development regulations, supported by the 'Consistency with Adopted Plans' and 'Reasonable and in the Public Interest' sections of the staff report and Attachment 6, 'Consistency with Comprehensive Plan'; dated March 5, 2018, regarding the subject 'NC 54 Storage (cases A1700001 and Z1700001)' along with additional agenda information provided to the City Council and information provided at the public hearing. Therefore, the request is reasonable and in the public interest.

**MOTION** by Mayor Pro Tempore Johnson, seconded by Council Member Middleton, to adopt an Ordinance amending the Unified Development Ordinance to establish Commercial General with a Development Plan, Falls/ Jordan-B District Watershed Protection Overlay, Major Transportation Corridor Overlay (CG(D), F/J-B, MTC-I-40) zoning for the subject site was approved at 8:26 p.m. by the following vote: Ayes: Mayor

Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Middleton and Reece. Noes: Council Member Freeman. Absent: None.

**ORDINANCE #15268**

**[ITEM PULLED FROM THE CONSENT AGENDA]**

**SUBJECT: TELECOMMUNICATIONS LICENSE AGREEMENT WITH SOUTH CAROLINA TELECOMMUNICATIONS GROUP HOLDINGS, LLC DBA SPIRIT COMMUNICATIONS**

Dan Vallero, Public Works, responded to Council's questions; referenced the data inventory listed within the GIS system; if there were available ducts or pre-existing ducts, staff would ask the applicants if the ducts would be used or if they were suitable for use.

Council Member Middleton inquired about pre-existing duct work, their existence and moving forward; it was his sense that at the Work Session, the applicant did not seem aware of the ducts being available or not.

**MOTION** by Council Member Middleton, seconded by Mayor Pro Tempore Johnson, to authorize the City Manager to enter into a Telecommunications License Agreement with South Carolina Telecommunications Group Holdings LLC dba Spirit Communications to install and maintain telecommunications facilities within public right-of-way within the City's corporate limits was approved at 9:00 p.m. by the following vote: Ayes: Mayor Schewel, Mayor Pro Tempore Johnson and Council Members Alston, Caballero, Freeman, Middleton and Reece. Noes: None. Absent: None.

Being no further business to come before Council, the meeting was adjourned at 9:04 p.m.

LaVerne Brooks  
Senior Executive Assistant

Diana Schreiber  
City Clerk